

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number:**

1001-M671

**Case Title:**

Solopower Systems Inc

**Subject of Report:**

10/15/2018 Interview Jay Collins

**Reporting Office:**

Portland, OR, Resident Office

**Activity Date:**

October 15, 2018

**Reporting Official and Date:**

[REDACTED]

Special Agent

26-OCT-2018, Signed by: [REDACTED]

**Approving Official and Date:**

[REDACTED]

Special Agent in Charge

08-NOV-2018, Approved by: [REDACTED]

Assistant Special Agent in Charge

**SYNOPSIS**

On 10/15/2018, SA [REDACTED] telephonically spoke with Jay COLLINS, RCRA inspector for OR Department of Environmental Quality (DEQ). COLLINS said on September 4th, DEQ was contacted by a property management consultant representing the property located at 6308 N Marine Dr, Portland, OR, formerly leased to SoloPower Systems Inc. (SoloPower). COLLINS said the property manager wanted to reopen the RCRA waste ID number so they could dispose of large amounts of waste onsite after SoloPower left. COLLINS said on September 24th, DEQ members including himself and members of City of Portland Environmental Services (BES) met with three representatives to include [REDACTED], a consultant from California, [REDACTED] from Colliers International, and [REDACTED]. COLLINS said the property owners wanted the site cleaned up so they could auction off the equipment. COLLINS said the property owners have 40 days after the report date to properly dispose of the waste. COLLINS said he plans on issuing SoloPower a Pre-Enforcement Notice (PEN) for essentially creating an illegal Treatment, Storage, Disposal Facility (TSDF). COLLINS said based on the amount of waste left behind, SoloPower was "way above" a large quantity generator. COLLINS said one room is contaminated with cadmium sulfite.

**DETAILS**

On 10/15/2018, SA [REDACTED] telephonically spoke with Jay COLLINS, RCRA inspector for OR Department of Environmental Quality (DEQ). SA [REDACTED] asked COLLINS questions regarding the compliance history for SoloPower and information regarding the current state of the cleanup at the property. COLLINS provided the following information:

COLLINS said on September 4th, DEQ was contacted by a property management consultant representing the property located at 6308 N Marine Dr, Portland, OR, formerly leased to SoloPower Systems Inc. (SoloPower). COLLINS said the property manager self-reported an issue where SoloPower recently vacated the property and left behind various amounts of waste, and they wanted to reopen the RCRA waste ID number so they could dispose of the waste. COLLINS explained the RCRA ID number is a unique number assigned to the property anytime a company wishes to dispose of hazardous waste. COLLINS said the ID number was closed after Solopower left.

COLLINS said on September 24th, DEQ members including himself and members of City of Portland Environmental Services (BES) met with three representatives to include [REDACTED], a consultant from California, [REDACTED] from Colliers International, and [REDACTED] from Tetra Tech. COLLINS said the property owners wanted the site cleaned up so they could auction off the equipment. COLLINS said the owners were still waiting on the courts to decide how the assets would be distributed and whether the owners could auction off the assets inside the building.

COLLINS said the property owners have 40 days after the report date, September 4th, to properly dispose of the waste. COLLINS related he did not know exactly when the waste was "transferred" to the property

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owners, so DEQ had to use the report date of September 4th as the date of transfer. COLLINS said as long as he is seeing progress, he will grant another 50 days, essentially giving the property owners a 90 day clock to manage the waste onsite. COLLINS said after 120 days if the site is not cleaned up, DEQ will issue a violation.

COLLINS said he plans on issuing SoloPower a Pre-Enforcement Notice (PEN) for essentially creating an illegal Treatment, Storage, Disposal Facility (TSDF). COLLINS said based on the amount of waste left behind, SoloPower was "way above" a large quantity generator. COLLINS said following the PEN notice, DEQ's Office of Compliance Enforcement (OCE) will file a Civil Citation and essentially "get in line" and file a lien to attempt to satisfy the penalty. COLLINS related the City of Portland also filed a lien against SoloPower. COLLINS said the equipment in the building is worth a lot of money, and once auctioned, might be enough to pay the back-rent and cost of the cleanup.

COLLINS said when he visited the property in September, he noted at least 50 drums of leftover product from SoloPower's operation, now classified as waste. COLLINS said he also identified several caged totes containing 200-300 gallons of waste. COLLINS said the property representatives were in the process of "pulling stuff out," cleaning and removing tanks, and inventorying everything. COLLINS said the wastewater treatment plant in the building has been shut off.

COLLINS said he was not sure how much of the waste was hazardous, but related the plant has a back room located on the east side that was used for chemistry processing, which probably contains various amounts of hazardous waste. COLLINS said there was one area of concern, which was formerly the metal working room. COLLINS said the air in the room is contaminated with cadmium sulfite. COLLINS said the cadmium sulfite is very fine, micro-dust, and can only be removed with a HEPA VAC after sealing the room and providing supplied air. COLLINS explained it's a very expensive process, and the contractors will have to sample afterward to ensure the metal dust has been properly removed. COLLINS said the cadmium, once contained, will be disposed as hazardous waste.

COLLINS said aside from the metal working room, the place "looked clean and organized." COLLINS said the operation did not look like an "old-school plating operation from twenty years ago," but rather appeared like a "fairly well-orderly" operation when SoloPower occupied the building. COLLINS related that there were already warning labels and markings on containers, including vats. COLLINS said SoloPower, when they were operating, had chemists who "knew what were in the baths." COLLINS said even though the vats were labeled, it's hard to tell exactly what else might have been in the mixture.

COLLINS said he was not sure of the names of the owners of SoloPower and whether they filed for bankruptcy. COLLINS said he conducted a search on OR Secretary of State website and found SoloPower is originally a Delaware company with a corporate filing in Salem, OR. COLLINS said [REDACTED] (ph) and [REDACTED] (ph) were listed representatives.

Concluding the interview, COLLINS forwarded SA [REDACTED] emails containing the following: email chain showing the consultant for the property owner's contact with DEQ, BES' most recent annual wastewater inspection report, and SoloPower's 2017 annual HW generator report (see attached).

**ATTACHMENT**

.2017 annual HW generator report.pdf  
.FW12-Z SoloPower Closed - no termination form.pdf  
.FWPOR005 - SoloPower.pdf  
.SKMC364e18091215080.pdf

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